



IFW

PATENT
Customer No. 22,852
Attorney Docket No. 05725.1264-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Xavier BLIN et al.) Group Art Unit: 1615
Application No.: 10/784,948) Examiner: Unassigned
Filed: February 25, 2004) Confirmation No. 8435
For: COSMETIC COMPOSITION)
COMPRISING AT LEAST ONE)
POLYMER PARTICLE DISPERSED IN)
AT LEAST ONE LIQUID FATTY)
PHASE AND AT LEAST ONE ESTER)
OF AT LEAST ONE ACID AND AT)
LEAST ONE POLYOL ESTER)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. To the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patents and U.S. patent application publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and

indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicants submit the following remarks:

1. **EP 0 667 146 B1** - This document is believed to be related to U.S. Patent Nos. 6,120,781 and 6,132,742.
2. **EP 0 749 746 B1** - This document is believed to be related to U.S. Patent No. 5,945,095.
3. **EP 1 002 528 B1** - This document is believed to be related to U.S. Patent Application Publication No. US 2004/0137028 A1.
4. **EP 1 034 776 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
5. **EP 1 044 673 A1** - This document is believed to be related to U.S. Patent No. 6,361,782 B1.
6. **EP 1 249 223 A1** - This document is believed to be related to U.S. Patent Application Publication No. US 2003/0039621 A1.
7. **EP 1 262 164 A1** - This document is believed to be related to U.S. Patent Application Publication No. US 2003/0021756 A1.
8. **FR 2 794 970 A1** - This document is believed to be related to U.S. Patent Application Publication No. US 2004/156804 A1.

Applicants have enclosed a copy of the priority application's French Search Report for the Examiner's consideration.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: Susanne T. Jones
Susanne T. Jones
Reg. No. 44,472

Date: May 19, 2005

<p>Substitute for form 1449A/PTO</p> <p style="text-align: center;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p style="text-align: center;">(Use as many sheets as necessary)</p>				Complete if Known											
<p style="text-align: center;">MAY 19 2005 U.S. PATENT AND TRADEMARK OFFICE O I P E JC98</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td style="width: 50%;">10/784,948</td> </tr> <tr> <td>Filing Date</td> <td>February 25, 2004</td> </tr> <tr> <td>First Named Inventor</td> <td>Xavier BLIN et al.</td> </tr> <tr> <td>Art Unit</td> <td>1615</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> </table>		Application Number	10/784,948	Filing Date	February 25, 2004	First Named Inventor	Xavier BLIN et al.	Art Unit	1615	Examiner Name	Unassigned		
		Application Number	10/784,948												
		Filing Date	February 25, 2004												
		First Named Inventor	Xavier BLIN et al.												
		Art Unit	1615												
Examiner Name	Unassigned														
Sheet	1	of	1	Attorney Docket Number	05725.1264-00000										

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US-4,152,416	05/01/1979	Spitzer et al.	
	2	US-5,221,534	06/22/1993	DesLauriers et al.	
	3	US-5,945,095	08/31/1999	Mougin et al.	
	4	US-6,120,781	09/19/2000	Le Bras et al.	
	5	US-6,074,654	06/13/2000	Drechsler et al.	
	6	US-6,132,742	10/17/2000	Le Bras et al.	
	7	US-6,361,782 B1	03/26/2002	Chevalier et al.	
	8	US-2003/0021756 A1	01/30/2003	Ferrari	
	9	US-2003/0039621 A1	02/27/2003	Arnaud et al.	
	10	US-2004/0018163 A1	1/29/2004	Yu	
	11	US-2004/0137028 A1	07/15/2004	de la Poterie	
	12	US-2004/0156804 A1	08/12/2004	Poterie et al.	

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	13	EP 0 667 146 B1	08/16/1995	Le Bras et al.		No
	14	EP 0 749 746 B1	12/27/1996	Mougin et al.		No
	15	EP 1 002 528 B1	05/24/2000	De La Poterie		No
	16	EP 1 034 776 A1	09/13/2000	Toumilhac		Abstract
	17	EP 1 044 673 A1	10/18/2000	Chevalier et al.		No
	18	EP 1 249 223 A1	10/16/2002	Arnaud et al.		No
	19	EP 1 262 164 A1	12/04/2002	Ferrari		No
	20	FR 2 794 970 A1	12/22/2000	De La Poterie		No
	21	WO 02/067877 A2	09/06/2002	Scancarella et al.		

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			Translation ⁶
	22	French Search Report for FR 03 50034, dated January 30, 2004.			
	23	English language Derwent Abstract of EP 1 034 776 A1, Sep. 13, 2000.			

Examiner Signature		Date Considered	
--------------------	--	-----------------	--